

# **DENTAL QUALITY ASSURANCE COMMISSION**

**Thursday, April 14, 2005**

## **Commission Business Minutes**

*Department of Health  
Point Plaza East, Tumwater, WA*

### **Members Present:**

John Davis, DDS, JD, Chair  
Abdul Alkezweeny, PhD, Public Member  
Laurie Fan, DDS  
George McIntyre, DDS  
Lorin Peterson, DDS  
Robin Reinke, DDS  
Marshall Titus, DDS

Russell Timms, DDS, Vice-Chair  
Padmaraj Angolkar, DDS  
Mark Koday, DDS  
Bernard Nelson, Public Member  
Fred Quarnstrom, DDS  
Pramod Sinha, DDS

### **Members Absent:**

Mark Paxton, DDS

### **Staff Present:**

Joy King, Executive Director  
Sandra Adix, AAG  
Peter Harris, Staff Attorney  
Mickey Wardell, Health Services Consultant 1

Lisa Anderson, Health Services Consultant 3  
Elyette Weinstein, Staff Attorney  
Josh Shipe, Health Services Consultant 3  
Erin Obenland, Health Services Consultant 1

### **Others Present:**

Sandra Duffy, Attorney, OR  
Bryan Edgar, DDS, WSDA  
Kim Dinsmore, DOH  
J. T. Vento, DDS, WSDA  
Barbi Lynch, RDH, WSDHA  
Lynnette Coan, DSHS  
Dan Warner, DDS, WSDA  
Douglas Walsh, DDS, WSDA  
Doreen Richard, MAT

Charles Brown, Consumers for Dental Choice  
David Hemion, WSDA  
Melissa Johnson, WSDHA  
Lana Poole, DSHS/MAA  
Cindy Gideon, AAG  
Colleen Gaylord, RDH, WSDHA  
Joelle Pyatt, RDH, DHEC  
Rod Wentworth, WSDA

## OPEN SESSION

**7:10 p.m.**

**1. CALL TO ORDER-** *John Davis, DDS, JD, Chair*

**1.1 Introduction of Audience**

Dr. Davis publicly acknowledged and thanked the audience for attending and they were asked to introduce themselves

**1.2 Approval of Agenda**

The agenda was approved as submitted

**1.3 Approval of the March 3, 2005 business meeting minutes, & March 4, 2005 Panel A & B minutes**

The March 3, 2005 business meeting and the March 4, 2005 Panel A & B minutes were approved as submitted, with the correction of adding the November 16 hearing meeting date.

**1.4 Approval of March 23, 2005, Conference Call regarding Marc Joondeph case**

Dr. Marshall Titus requested his name be added to attendance list for the March 23<sup>rd</sup> conference call. Motion was made and approved. Following this change the minutes were approved as submitted.

**7:20 – 7:40 pm**

**1.5 Presentation – Office of Community and Rural Health - Diana Ehri, Manager, Community and Provider Resources**

Diana Ehri presented information regarding the Washington State Volunteer/Retired Provider – Malpractice Insurance Program. This program was established in 1992 to provide dental care to low income patients. Diana indicated to date there have been 16 participating dentists, making it possible for 136 patients to be served. She did explain that Continuing Education (CE) hours may prove difficult for providers who have retired or no longer have a practice. Dr. Koday asked if it would be possible for dentist participating in the program to be compensated for their CE credit hours, i.e. travel reimbursement, costs of courses, etc. Diana will be checking into this matter and get back to the Commission.

**1.6 Presentation - Consumers for Dental Choice – Charles G. Brown, National Council, Sandra Duffy, JD Portland, Oregon**

Vice Chair Dr. Russell Timms presided over this portion of the meeting. Mr. Brown and Ms. Duffy opened their presentation with a request to have motion to remove Dr. John Davis as the chair of DQAC. Dr. Timms blocked this request, stating this was not part of the agenda and was not open for discussion. Charles Brown was then given the floor to further discuss his opinion that having Dr. Davis serving as Chair is deterring holistic providers from participating in MAA care. Following a question and answer period, it became apparent there was not adequate evidence or documentation to substantiate the complaint. The Consumers for Dental Choice presenters were thanked for their presentation and for providing their insights to the Commission.

**2. PROGRAM REPORT, EXECUTIVE DIRECTOR, ASSISTANT ATTORNEY GENERAL, STAFF ATTORNEY, INVESTIGATORS - Joy King, Executive Director, Lisa Anderson, Health Services Consultant, Executive Director, Sandra Adix, AAG, Staff Attorney, Investigators**

**2.1 Budget Report-Interim Operating Reports for January - February, 2005**

The interim operating reports for January and February, 2005 were provided to the commission for information and review. Lisa Anderson briefly explained the need to continue our efforts to monitor expenditures through the end of the biennium (June 30, 2005).

**2.2 Rules Update - Status Report**

The CR-101 announcing amendment of the Anesthesia rules was officially filed with the Code Reviser on April 6, 2005. Notice of the filing was distributed via ListServ to interested parties, and was forwarded to the medical and nursing commissions for distribution as well. Joy King, Executive Director, explained the rule making procedures and where we are in the process. She announced that a contract was pending execution with Mr. Eric Svaren of Groupsmith, Inc., from Seattle to facilitate the open public forums that will be scheduled. Dr. Peterson, DDS recommended that Mr. Svaren be invited to the June 2nd commission meeting. Joy asked the group if that would be of interest to them. Dr. Davis, Chair, asked for a vote, and it was unanimously in favor to invite Mr. Svaren to the June 2<sup>nd</sup> meeting. Lisa Anderson refreshed the commission members regarding what types of expertise might be needed for the anesthesia subcommittee and requested additional assistance in assigning expertise to the applicants.

**2.3 Legislation – SHB1689 – Status Report**

Lisa Anderson gave an update status report regarding SHB1689. She advised the commission that it appeared this legislation would pass and that funding was necessary to implement. Bill analyses and fiscal notes have been provided as requested. If passed, and funded, the commission will be responsible to implement the legislation by July 2006.

- 2.3.1 Letter dated March 30, 2005 to the Honorable Karen Keiser, Chair, Senate Health and Long-Term Care Committee from Stephen Hardymon, Executive Director, WSDA**  
Distributed to the Commission for information purposes

**2.4 End of Biennium Requirements**

Lisa reminded the commission members that June 30, 2005 is the end of the biennium and all payroll/travel documents need to be sent in expeditiously. Especially following the June 2<sup>nd</sup> meeting. Failure to submit documents for reimbursement could result in a delay of payment.

**3. AMERICAN DENTAL ASSOCIATION (ADA); AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE); AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA); THE DENTAL ASSISTING NATIONAL BOARD, INC (DANB)**

**3.1 AADE Memorandum dated March 29, 2005 regarding ADA Concept Proposal for a National Commission on Clinical Dental Licensing**

Dr. Lorin Peterson, DDS, explained the basics of the memorandum and attached backup materials (letter from Richard Haught, DDS, President, ADA & Draft Bylaws). He stated AADE is soliciting responses from different states as to ascertain their opinions and stand on this issue. It was Dr. Peterson's opinion that Washington State, the DQAC in particular, not respond at this time. The audience had questions regarding Central Regional Testing Service (CRDTS) stand on this issue, and they were referred to Dr. Robin Reinke, DDS, as the CRDTS representative for DQAC. Her opinion was also that DQAC remain neutral with both sides, meaning AADE and CRDTS.

**3.1a AADE Memorandum dated April 5, 2005, regarding Proposal and Bylaws of the National Commission on Clinical Dental Licensing**

Distributed to the Commission for information purposes and backup material to 3.1 above.

**3.2 DANB Details – Newsletter (complete newsletter available at meeting)**

Distributed to the Commission for information purposes

**4. STAFF/COMMISSION MEMBER REPORTS**

**4.1 Question from Commission member regarding the validity of training clerks in dental insurance offices to read x-rays and make decisions.**

Following a brief discussion the answer was – Reviewing and diagnosing X-rays to determine need for dental services can only be done by a dentist.

## **5. WESTERN REGIONAL EXAM BOARD (WREB)**

### **5.1 Member update – Lorin Peterson, DDS and John Davis, DDS, JD**

Dr. Lorin Peterson, DDS, clarified that “rumors” regarding WREB having made any final decisions or negotiations with other organizations regarding the national examination are unfounded.

### **5.2 Update - Western Conference of Dental Examiners and Dental School Deans- July 22-24, 2005 – Mount Hood, Oregon (Registration materials will be mailed out sometime in April per Linda Paul with WREB)**

Lisa Anderson explained to the group that a telephone call had been made by Mickey Wardell to Linda Paul with WREB regarding the registration packets. Information has yet to arrive. Upon receipt of registration materials paperwork will be started for the following commission members to attend: John Davis, DDS, JD; Lorin Peterson, DDS (funded by WREB); Russell Timms, DDS; Marshall Titus, DDS.

### **5.3 WREB memorandum received April 11, 2005, regarding National Commission on Clinical Dental Licensing**

Distributed to the Commission for information purposes

## **6. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS)**

### **6.1 CRDTS – Letter from Harold Thurman regarding CRDTS Amended and Restated Bylaws adopted by CRDTS General Assembly on March 5, 2005.**

Distributed to the Commission for information purposes. Dr. Reinke was elected as the Secretary/Treasurer at the March 5<sup>th</sup> meeting. Dr. Reinke explained the reasoning behind the new bylaws being adopted.

## **7. CONSENT AGENDA**

*Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.*

### **7.1 Kentucky Board of Dentistry – Spring 2005**

### **7.2 Oral Health Coalition – Spokane – January 2005**

The above newsletter from the Kentucky Board and the meeting minutes from the Oral Health Coalition of Spokane were distributed to the commission for information purposes.

## **8. NEWSLETTERS/FYI ARTICLES**

### **8.1 Article - Botulinum Toxins for Dentistry: The New Paradigm**

This article was placed on agenda by Dr. Pramod Sinha, DDS, as he wished to know DQAC's position regarding this issue. Following some discussion, it was determined this agenda item will be researched further by commission members and carried forward on the next meeting agenda for discussion.

## **9. POLICIES/ INTERPRETIVE STATEMENTS, OPINIONS**

*Any interpretive statement issued by the Commission is advisory and intended for the guidance of the requesting parties only. The interpretive statement is not legally binding and does not have the force and effect of a duly promulgated regulation or declaratory ruling by the Commission.*

## **10. CORRESPONDENCE**

**10.1 Letter dated February 25, 2005 from Lawrence Lawton, President, WSDA, regarding the interpretation of scope of practice of dentistry and delegation of functions to unlicensed dental assistants.**

**10.2 Letter dated March 13, 2005 to Scott Houfek, President, ABDE from Kentucky Board of Dentistry, Sue Feeley, DDS, President regarding national dental licensure exam.**

**10.3 Letter dated March 29, 2005, from Lisa Park, DDS regarding WAC 246-817-540 and WAC 246-817-520**

The above three letters were discussed in detail. The Chair moved to have items 8.1, 10.1, 10.2 and 10.3 carried forward for the June 2, 2005 meeting. Commission members Davis, Timms and Quarnstrom will do research (homework) on each, and be further discussed at the June meeting.

## **CLOSED SESSION**

## **11. EXECUTIVE SESSION**

*The term "executive session" is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a-k), and only during a regular or special meeting.*

The Commission may go into executive session to discuss issues that are appropriate to be handled in closed session such as personnel issues or to obtain legal advice.

## **12. FUTURE COMMISSION BUSINESS**

The next DQAC meeting is scheduled to be held June 2-4, 2005 at Point Plaza East, Tumwater. The Commission is awaiting updated organizational charts from the Department of Health for Section 3 of Health Professions Quality Assurance.

## **13. BUSINESS MEETING ADJOURNMENT**

The business meeting adjourned at 9:40 pm. The Commission will begin Disciplinary panel business at 8:00 a.m. on Friday, April 15, 2005.

Respectfully Submitted By:

\_\_\_\_\_*signature on file*\_\_\_\_\_  
*Mickey Wardell, Health Service Consultant 1*

*Commission Approval By:*

\_\_\_\_\_*signature on file*\_\_\_\_\_  
*John Davis, DDS, JD, Chair*